

ESTTA Tracking number: **ESTTA368171**

Filing date: **09/14/2010**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91193306
Party	Plaintiff Belmont Brands Limited
Correspondence Address	Kathleen A. Costigan HEDMAN & COSTIGAN, PC 1185 Avenue of the Americas New York, NY 10036 UNITED STATES ipdocket@hgcpatent.com, kcostigan@hgcpatent.com
Submission	Motion to Extend
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Signature	/Kathleen A. Costigan/
Date	09/14/2010
Attachments	91193306 Motion to Extend.pdf (3 pages)(15284 bytes)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

**In the matter of Application Serial No.: 78268123
Filed: June 27, 2003
For the Mark: D2
Published in the Official Gazette on September 8, 2009**

BELMONT BRANDS LIMITED	:	
	:	
Opposer,	:	
v.	:	Opposition No. 91193306
	:	
LES BOXERS BOYZ INC.	:	
	:	
Applicant.	:	
	:	

**EMERGENCY EX PARTE MOTION
TO EXTEND DISCOVERY PROCEEDINGS
FOR 30 DAYS**

Opposer, BELMONT BRANDS LIMITED, (“Opposer”), through the undersigned counsel, respectfully requests an Emergency 30 day extension of the deadline to complete discovery in this Opposition. This is the first request for an extension of discovery in this Opposition.

Attorney for Applicant was contacted regarding the possibility of an extension on consent and has reported to the undersigned that he communicated the request to his client however he had not received a response and does not have authority to consent to an extension. Attorney for Applicant indicated he would continue to try to contact his client. At this writing the undersigned has not received any additional information on whether or not Applicant will consent.

The undersigned received information today, from counsel in Italy, indicating a change in the authorized representative for the Opposer as well as a change in the corporate structure of the Opposer.

The extension is not sought for purposes of delay, but only to allow the undersigned to receive instructions from the new authorized representative of the Opposer.

In the event the Board denies this motion, it is requested that the deadline for the completion of discovery be reset to a date one month after the decision of the Board.

Respectfully submitted,

/Kathleen A. Costigan/

Date: September 14, 2010

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of this paper has been served upon counsel for Applicant by email and First Class mail postage prepaid on September 14, 2010 at the following address(es):

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/Kathleen A. Costigan/

Kathleen A. Costigan